

## **11.1 Motions Overview (See [Appendix A](#) and [Appendix B](#))**

As with other filings, the user must choose the event, enter the case number, pick the party filer and complete the link party attorney screen as appropriate. During the transaction, the user will be prompted to upload the corresponding PDF file. To access the available motion types, the user should click on **Motions** under **Motions and Related Filings** menu. Multiple motions types may be selected simultaneously. (See also [Section 4.3\(c\)](#).)

### **(a) Motion to Vacate and/or Correct Sentence §2255**

A Motion to Vacate and/or Correct Sentence pursuant to 28 U.S.C. §2255, is a motion in the criminal case but in the civil case environment, it is construed as a case opening event.

### **(b) Motions for Extension of Time**

Four separate events address variations of motions for extension of time because each motion type creates and satisfies different deadlines when granted by the court.

### **(c) Bill of Costs**

Cost Bills behave like a motion; consequently, the Bill of Costs event is found under the **Motions** menu. The user will be prompted to select deadlines for filing objections to the proposed cost bill which is 14 days pursuant to [LR 54.1](#), and for the taxation of costs. A cost bill may be submitted either on the standard form supplied by the Administrative Office or in pleading form.

When the Cost Bill is submitted on the AO form, court staff will make a copy of the cost bill before posting. The document signed by the attorney will be uploaded. The copy will be forwarded to the judge for consideration. When costs are taxed, the Cost Bill form will be electronically posted to the case.

### **(d) Objections to Magistrate Orders**

Objections behave like a motion, however the event is located on the **Other Answer** menu.

### **(e) Scheduling**

**(1) Response and Reply Deadlines:** The response due date for civil motions will be automatically calculated and set 14 days from the date of filing (eleven plus three days for mailing pursuant to Fed.R.Civ.P. 6(e).) Although the due date for the response or reply will appear during the docket transaction, it is not editable by a non-court user and it will not display in the docket text. The response or reply date will still be set in the background for calendars and reports. Subsequent or extended response and reply dates set by the court will continue to display in the docket text.

**(2) Dispositive Motion Response and Reply Deadlines:** Dispositive motion response or reply due dates may continue to be different from the actual response or reply dates generated when the dispositive motion is actually filed. The case manager should check the docket for an overriding case deadline for these submissions which supersede the system generated deadlines. If a discrepancy exists, the user may enter a Deadline Edit utility and terminate the system generated date for the motion. Reschedule the response or reply due date to the correct date and assign that deadline to the underlying motion.

## **11.2 Responses and Replies**

Events in this category are to be used in connection with all motion category events. The user should select the most appropriate event and then further describe the pleading in the docket text box. Following are some Response and Reply events of special note:

### **(a) Objections and Responses to Bill of Costs, and Findings and Recommendations**

Cost bills and Findings and Recommendations are treated as motions; consequently the objection and response events to these documents are located on Responses and Replies menu.

### **(b) Responses to Discovery Motions (See [LR 26.5\(c\)](#) )**

These events do not set a reply date.

### **(c) Linking**

When posting a response or reply to a motion the user is always prompted to select the subject motion and create the link automatically. The response is always linked to the motion and the reply is always linked to the subject motion. Where appropriate, the system will also schedule the reply due date upon the filing of the response.

**(d) Concise Statement of Material Fact (See [Section 11.3\(a\)](#))**  
**11.3 Other Supporting Documents**

Other supporting documents include documents signed by a third party. This menu contains events which may be linked to previously filed documents. The Related Documents screen is used to establish a hypertext link in the current event to previously filed documents. After selection of the Related Documents box, users will be prompted to select a category for the previously filed document. For example, the category 'cmp' would be selected to link the current document to the complaint event. As with other menus, the user is prompted to select the event, the case number, attorney, and filer.

**(a) Concise Statement of Material Fact**

Although this is a required filing for Motions for Summary Judgment and would logically be on the "Responses and Replies" menu, it is located on the Other Supporting Documents menu as there are often amended or additional statements filed which are not always associated with a motion.

**(b) Affidavits and Declarations (See [LR 10.4](#) and [LR 100.6](#))**